

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

AUG 19 2003

OFFICE OF PETITIONS

Applicant(s): Thomas W. Hagler
Assignee: Advanced Photometrics
Title: Method and Apparatus for Radiation Analysis and Encoder
Application No.: 09/848,614 Filing Date: May 3, 2001
Examiner: Unknown Group Art Unit: 2877
Docket No.: SPEC.001US2 Conf. No.: 6010
(formerly M-10489-1P US)

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 14, 2003

Mary S. Briggs
Signature

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REVIVAL UNDER 37 C.F.R. §1.137(f) OF AN APPLICATION FOR PATENT CONSIDERED BY THE OFFICE TO BE ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING

08/19/2003 AWONDAF1 00000065 09848614

Dear Sir:

01 FC:2453

650.00 OP

The above-identified application is deemed by the United States Patent and Trademark Office ("Office") to be abandoned pursuant to 35 U.S.C. §122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The expiration of the forty-five (45) day period set in 35 U.S.C. §122(b)(2)(B)(iii) for filing such notice, was April 20, 2003.

Pursuant to 37 C.F.R. §1.137(f), Applicant(s) hereby petition(s) for revival of this application under 37 C.F.R. §1.137(b), deemed to be abandoned by the Office.

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing

Attorney Docket No.: SPEC.001US2

Application No.: 09/848,614



pursuant to 35 U.S.C. 122(b)(2)(B)(i). Applicants hereby rescind the previous nonpublication request.

A check for the required petition fee is being filed herewith:

☒ Small entity - fee \$650.00 (37 C.F.R. §1.17(m)). Applicant claims small entity status.

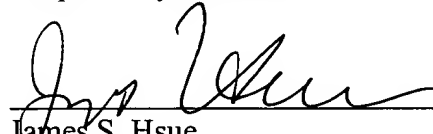
☐ Other than small entity - fee \$1,300.00 (37 C.F.R. §1.17(m)).

The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 502664.

Notice of Foreign or International Filing (35 U.S.C. §122(b)(2)(B)(iii) and 37 C.F.R. §1.213(c)): Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (*e.g.*, filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date(s) of such subsequently-filed foreign or international application(s) is/are as follows: PCT application filed March 6, 2003.

The entire delay in filing such notice of a foreign or international filing from the expiration of the forty-five (45) day period set in 35 U.S.C. §122(b)(2)(B)(iii) until the filing of a grantable petition under 37 C.F.R. §1.137(b) was unintentional.

Respectfully submitted,



James S. Hsue
Attorney for Applicant(s)
Reg. No. 29,545

August 14, 2003

Date

PARSONS HSUE & DE RUNTZ LLP
655 Montgomery Street, Suite 1800
San Francisco, CA 94111
(415) 318-1160
(415) 693-0194 fax